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1001 G STREET, N.W.
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TEL: 202.824.3000
FAX: 202.824.3001
www.bannerwitcoff.com

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TO: Examiner P.N. Huynh
FROM: Lisa M. Hemmendinger

COMPANY: U.S. Patent & Trademark Office
DATE: September 15, 2003

FAX NUMBER: 703 872-9306
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RE: Copy of Amendment, Petition for EOT,
And Declaration of Kundig Under
1.132 w/Exhibits 1-7
Filed 7/24/03
w/copy of Date-Stamped Postcard of 7/24/03
OUR REFERENCE NO.: 005184.00002

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☒ PATENT ☐ DESIGN B&W Ref. 05184.00002 Date 7/24/03

☐ HAND CARRY Group/Section

Serial/Patent No. 09/004 464 Bldg 2001 Rm. 1001

Inventor Kündig et al. Client LMH/MLH

Title Modulation of Allergic Response

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ total pp Spec. including: # of Claims 3

(# of independent claims 3): ☐ Abstract ☐ Sequence Listing: ☐ Diskette ☐ Paper

☐ Drawing: ☐ Formal ☐ Informal ☐ Amendment ☐ Response: OA dtd 3/25/03

of distinct sheets 3: Figs. 1-3 ☐ Position for Extension of Time until 10/25/03

☐ Declaration/Power of Attorney: ☐ Executed ☐ Unexecuted ☐ CPA ☐ RCE ☐ w/Ext of Time: OA dtd

☐ Assignment w/PTO Cover Sheet ☐ Request for Approval of Drawing Changes

☐ IDS w/PTO 1449 ☐ References ☐ w/Fee ☐ Notice of Appeal & Fee

☐ Preliminary Amendment ☐ Brief: ☐ Appeal & Fee ☐ Reply

☐ Priority Claim (Foreign or U.S. Provisional B&W # 05184.00002) ☐ Request for Oral Hearing

☐ Country USA Appl. # 05184.00002 ☐ Issue Fee ☐ Advance Patent Copies (# ordered 1)

☐ w/Foreign Priority Document(s) ☐ Notice of Allowance dtd

☐ Application: ☐ CIP ☐ Continuation ☐ Divisional ☐ Amendment under 37 CFR 1.312

Parent Ser. No. 05184.00002 B&W# 05184.00002 ☐ Request for Certificate of Correction

☐ U.S. Provisional 09/004 464 pp Spec/Claims: Cover Sheet ☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.

☐ Response to Missing Parts/Requirements dtd ☐ Certificate of Mailing

☐ Response to Notice to File Corrected Appln. Papers dtd ☐ Check # 1132 for \$ 1132

☐ Request for Expedited Foreign Filing License ☐ Declaration of D. Thomas

☐ Request for Corrected: ☐ Filing Receipt ☐ Assignment ☐ Kündig under 37 CFR

☐ Response to Restriction/Election Requirement ☐ 1.132 w/ Exhibits 1-7

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BAW Rev. 5/01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KÜNDIG and McCORMACK

Serial No.: 09/804,464

Filed: March 13, 2001

For: MODULATION OF ALLERGIC RESPONSE

)
) Group Art Unit: 1644

)
) Examiner: Phuong N. HUYNH

)
) Docket No: 005184.00002

AMENDMENT

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed March 25, 2003. Please charge the fee for a one-month extension of time to our Deposit Account No. 19-0733.

Claims 1-10, 14, 19-26, 45, and 46 are pending and stand rejected.

An unsigned declaration of Dr. Thomas Kündig under 37 C.F.R. § 1.132 accompanies this amendment. Applicants will file a signed copy as soon as it is received.

Please enter the following amendments.

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